

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CLASSEN IMMUNOTHERAPIES, INC.

Plaintiff,

vs.

SHIONOGI INC.,

and

MERZ PHARMACEUTICALS, LLC

Civil Action: 13-921 - RWT

**NOTICE OF APPEAL
TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Plaintiff Classen Immunotherapies hereby gives notice of appeal of (i) the Court's Order #34 dismissing the above matter and of (ii) the Court's Memorandum Opinion #33 on dismissal, to the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

/s/Joseph J. Zito

Joseph J. Zito

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Attorneys for Plaintiff

Classen Immunotherapies, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the forgoing Notice of Appeal was filed via the CM/ECF system of the United States District Court for the District of Maryland on the 15th day of February 2014 and that all counsel of record were served via the ECF system.

/s/ Joseph J. Zito